



JFW / DAC
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Jan Forslöw

Application No.: 09/755,027

Filed: January 8, 2001

For: EXTRANET WORKGROUP FORMATION ACROSS MULTIPLE MOBILE VIRTUAL PRIVATE NETWORKS

: Atty Dkt No.: 000254.00012

: Group Art Unit: 2143

: Examiner: J. Pwu

RECEIVED

MAY 02 2005

OFFICE OF PETITIONS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT OR,
IN THE ALTERNATIVE, PETITION TO REVIVE UNDER 37 C.F.R. §1.137(a)**

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
OIPE/IAP

AUG 15 2005

Dear Sir:

This paper is being filed in response to the Notice of Abandonment dated April 8, 2005. Because Applicant timely filed a response along with payment of the requisite extension fees, as discussed below, it is respectfully submitted that the holding of abandonment was in error and should be withdrawn. Because the holding of abandonment was an error on the part of the Patent and Trademark Office, it is believed that no fee is due for this submission. However, the Commissioner is authorized to charge our Deposit Account 19-0733 for any fee required in connection with this filing.

STATEMENT OF FACTS

Applicant filed a Response, along with a Petition for a Five-Month Extension of Time on November 26, 2004 in response to the Office Action dated May 26, 2004. The Response was filed by facsimile by the undersigned attorney along with a signed certificate of transmission. A copy of the Response and the signed certificate of transmission as filed are enclosed.



ALTERNATIVE PETITION TO REVIVE UNDER 37 C.F.R. §1.137(A)

In the event that the foregoing petition to revive is not granted, Applicant hereby petitions to revive the above-captioned application as being unavoidably abandoned pursuant to 37 C.F.R. § 1.137(a). Applicant was unaware that the Response was not of record until receiving the Notice of Abandonment dated April 8, 2005.

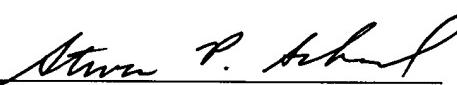
CONCLUSION

It is respectfully submitted that the April 8, 2005 holding of abandonment was erroneous on the part of the Patent and Trademark Office. Accordingly, it is respectfully requested that the holding be withdrawn and the subject application be examined on its merits.

Alternatively, if the Patent and Trademark Office determines that the Response was not timely filed, Applicant's failure to timely file a Response was unavoidable within the meaning of 37 C.F.R. § 1.137(a). At the very least, the delay was unintentional within the meaning of 37 C.F.R. § 1.137(b) and the subject petition should be granted on that ground.

Respectfully submitted,

Date: April 28, 2005

By: 
Steven P. Schad
Registration No. 32,550

BANNER & WITCOFF, LTD.
1001 G Street, N.W., Suite 1100
Washington, D.C. 20001
(202) 824-3100



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW



**1001 G STREET, N.W.
WASHINGTON, D.C. 20001-4597**

**TEL: 202.824.3000
FAX: 202.824.3001
www.bannerwitcoff.com**

SPS

FACSIMILE TRANSMITTAL SHEET

To:	FROM:
Examiner Thomas J. Mauro, Jr.	Steven P. Schad
COMPANY:	DATE:
U.S. Patent & Trademark Office	November 26, 2004
FAX NUMBER:	TOTAL NO. OF PAGES:
703-872-9306	5
RE:	OUR REFERENCE NO.:
Election of Species	000254.00012

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Beth Harrison **PHONE:** 202 824.3136

COMMENTS:

SN: 09/755,027

Inventor: Jan Forslow

Extranet

[Signature]

DEC 2 2004

RECEIVED

MAY 02 2005

OFFICE OF PETITIONS

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

**PORTLAND,
OR**